

1 **Planning Board – Final Minutes**

2 **May 9, 2023, Meeting House**

3 **Members present**

4 Greg Meeh (Chair), Kent Ruesswick (BOS rep), John Schneider, (Deputy Chair), Rich
5 Marcou, Anne Dowling, Joshua Gordon, Logan Snyder
6 Ben Stonebraker (alternate)

7 **Others present**

8 Corey Pethic, applicant: Kelly Short, Canterbury Conservation Commission: Mike
9 Tardiff, Director CNHRPC

10 **Agenda**

11 **1. Call to Order**

12 Greg Meeh called the meeting to order at 7 pm.

13 **2. Previous Minutes of April 25, 2023**

14 Kent Ruesswick moved the Minutes and Rich Marcou seconded. There being no
15 discussion, all voted in favor to approve those Minutes.

16 **3. Corey Pethic – 315 SW Road – preconceptual discussion re subdivision**

17 Corey Pethic introduced himself. He had been in town around 20 years. He has 7
18 acres and wants to subdivide but as yet has not hired any professional guidance. It
19 was established this is Residential zoning so the lot would have to be a minimum
20 of 2 acres and have 300 foot frontage. If there are wetlands on the lot then those
21 are not included in the 2 acres minimum. It was suggested that he hire a surveyor
22 or engineer. He was also given the Subdivision check list and advised to contact
23 NH State as it was less than 5 acres and he would need a driveway permit and a
24 perc test for the septic. Greg thanked Corey for coming in to talk with the Board.

25 **4. Master Plan – Natural Features chapter draft**

26 Greg invited Ben Stonebraker (alternate) to the table for the work session
27 discussion. Mike Tardiff (CNHRPC) was invited to the table, joined by Kelly Short
28 (Co-Chair CCC). Mike explained staffing issues. Matt T is on vacation and Matt B

has given notice, leaving at the end of May. Mike said he was excited about the map series Matt B had created. Kelly noted the CCC loves the online version of the maps. It is a different way of showing the map series. Kelly wished to thank Matt B for all his hard work. Mike has another staff member, Vincent Pagano, who is going to take up that work. Matt B had made all the changes Kelly had requested recently.

Kelly had some further issues to raise and changes to suggest. The CCC only meets once a month on the second Thursday of the month, and they will discuss the draft chapter later this week. She did not anticipate any major alterations.

There was lengthy and detailed discussion about content, sequence, and layout in the Natural Features draft chapter.

- It was generally agreed that each chapter should be consistent, so that a 'vision' section should come first but that the 'town's thoughts' from the survey results should be at the forefront too. Followed by the importance of Natural Resources. The date of that community survey should be quoted since there has been more than one and it was a few years ago now. Kelly had also talked to Mark Stevens for Ag Comm input. Greg is going to meet with him soon too. Ag Comm will be asked about including named farms. (Businesses are not going to be individually named since they can change hands over time).
- The Implementation document (deriving from issues CCC wanted to see included) will be dealt with later. There will be Implementation aspects to each chapter, and these will be put together in one chapter of their own, with priorities set by the Planning Board (in conjunction with CCC and Ag Comm).
- The issue of Dark Skies was raised several times. It was felt to be a priority. The draft should add the point about the light coming from Rt 106 commercial developments, especially the green houses with nighttime illumination and no shades. Similarly, the point about noise at the Track requires some finessing to include that it is almost daily but not to the level of noise pollution daily.
- There were several detailed small changes and edits requested by Kelly and Mike noted these. In some instances, Kelly will be redrafting a paragraph.

62 There was a consensus that PB members liked tables rather than diagrams.
63 And that there would be an attempt to include the total acreage of Current
64 Use land rather than the 'parcels' that only had some portion as Current
65 Use. The Land Use Change Tax (land taken out of CU) will be referred to as a
66 well established and now traditional source of conservation funding in
67 town.

- 68 • In terms of water resources and wetlands, the name of Shaker Brook was to
69 be added and Meadow Pond. And clarification of which bodies of water
70 constitute the 'lake' water that is mentioned in a table on page 8.5. Water
71 resources are also important for agriculture – that point needed to be
72 added. The town should monitor sites with known water quality issues and
73 encourage and support any mitigation practical. Kelly was to draft a
74 paragraph about ongoing efforts to monitor groundwater. There are many
75 types of wetlands in town and not all can be labeled or mapped, since some
76 are temporary for periods of the year. Vernal pools should be added
77 though.
- 78 • Scenic roads were mentioned, and it was agreed it would be good to have
79 those listed so people knew which roads in town had this classification. It
80 has implications for the cutting of trees by the utility companies. It was also
81 noted that in terms of objectives, the conservation objective of maintaining
82 large unfragmented natural areas would sometimes be at odds with the
83 need to keep Class 6 roads or Class A trails (if converted) wide enough for
84 forestry truck access to allow fire protection.
- 85 • It was decided to put the issue of ATV's and snowmobiles use of land in the
86 Transportation chapter. There are complexities in terms of registration of
87 vehicles but ultimately landowners' permission is needed and that should
88 be stated in the Master Plan.
- 89 • There was discussion about the CCC objectives on page 8.11. Numbers 1
90 and 2 seemed similar. #1 is about encouraging the town to restrict
91 development on prime agricultural land and #2 is about encouraging
92 stewardship by landowners – and maybe those need clarifying.

93 Greg thanked Kelly and CCC for the hours of work spent on this chapter in
94 collaboration with regional planning staff. The Board also recognized the work of
95 'the Matts' and Mike. Kelly left the meeting.

Greg asked to consider what more needs to be done in terms of planning the rest of the work for this year to prepare for Town Meeting 2024. **Mike is attending the next select board meeting (May 15) to discuss the Invest NH grant funding.** The next chapters of Master Plan drafts for the Planning Board to read will be Land Use and Economic Development. **Matt T will complete that draft and it will be sent to members before the PB meeting on June 13. Mike will return in 2 weeks for the PB meeting on May 23 to talk about process and 'save the date' for public hearings of zoning amendments. The Board will need to prioritize which ones to put forward in March 2024.**

5. Flagpole and Height limits

Greg asked Joshua if he would work on language for the issue of a height limit for buildings, flagpoles or other structures. There is a consensus that 30 foot, the height of the flagpole in the Center, is the appropriate height. This issue that had arisen with a recent request for a flagpole and company flag visible from the highway. Joshua agreed to see if that could be a simple fix to the zoning ordinance.

6. Mixed Use residential/business requirement trigger for site plan review issue

Logan had been successful in receiving an email with attachments from Pamela Goucher, deputy director of Planning and Zoning in Manchester. (This was forwarded to members on April 28). She had included their Building Permit application which does refer to change of use, and criteria used to require site plan review when there is a change of use. The issue was tabled for a later meeting.

7. Short Term Rental issue – Conway decision

Members had heard about the recent NH Supreme Court decision allowing property owners in Conway to continue renting out short term rentals. This was different from the previous 2016 NH Supreme Court decision regarding Portsmouth STR's. In Conway, the town claimed that STRs must be owner occupied. The Conway ordinance did not make that explicit so the right for non-owner occupied STRs was upheld. Members felt there is a lot to be said for owner occupied rentals and the way this case had unfolded in Conway was not the way

to achieve that goal. Perhaps there is something that could be altered in the ADU zoning in town to give more flexibility as well as require owner occupancy or right to sell to a renter. **The matter was tabled, and Joshua was asked to investigate possible language for addressing it.**

8. Adjournment

Kent moved to adjourn and Rich seconded.

Next meeting is Tuesday May 23.

Action Items from meeting

- **Mike and other staff work on edits to Natural Features and prep Land Use and Economic Development draft chapters for discussion at June 13 meeting.**
- **Mike attends BOS May 15 re Invest NH grant.**
- **Greg meets with Mark Stevens Ag Comm re issues in Natural Features draft.**
- **Kelly works in edits and some text changes in Natural Features draft chapter with Matt B.**
- **Joshua considers zoning ordinance issues – height limit and mixed use/commercial change of use trigger for site plan review.**

Respectfully submitted,

Lois Scribner, secretary